

Article - Public Safety

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§13A–102.

- (a) This title applies to all members of the State military forces at all times.
- (b) (1) Subject matter jurisdiction is established if a nexus exists between an offense, either military or non–military, and the State military force.
- (2) Courts–martial have primary jurisdiction of military offenses.
- (3) (i) A proper civilian court has primary jurisdiction of a non–military offense when an act or omission violates both this title and local criminal law, foreign or domestic.
- (ii) In a case described in subparagraph (i) of this paragraph, a court–martial may be initiated only after the civilian authority declined to prosecute or dismissed the charge, provided jeopardy has not attached.
- (4) Jurisdiction over attempted crimes, conspiracy crimes, solicitation, and accessory crimes must be determined by the underlying offense.

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